MATERIAL RELEASED FROM PUBLIC EXCLUDED MEETINGS 2010-2013 TRIENNIUM

Meeting	Date of Meeting	Report Released	Resolution Released	Minutes Released
Council	6 June 2013	Yes	Voting in the 2013 Electra Trust Election MOVED (Ammundsen/Mayor) That Council, in exercising its right to vote in the 2013 Electra Trust Election, allocates its votes as follows: Candidate's name Allocation of votes Ann Chapman 115 Sharon Crosbie 92 Judith Holloway 23 Liz Koh Wynn Ingram 69 CARRIED Councillors Cardiff, Gurunathan and Lloyd abstained from voting.	No
Council	6 June 2013	Appendix 1 (Corp-13- 898)	Amendments to the Governance Structure for the 2010-2013 Triennium MOVED (Mayor/Lester) That the Council approves the constitution of a new Chief Executive's Performance and Employment Committee with a membership comprising the Mayor as Chair and five Councillors (Cr Booth, Cr Lester, Cr Gaylor, Cr Ammundsen, and Cr Ellis), and new terms of reference as detailed at Appendix 1 of Report Corp-13-898; and that the Governance Structure and Delegations document be amended to reflect such changes; That the Council discharges the existing Chief Executive Performance Review Committee and the Chief Executive Performance Review Subcommittee; That the Council authorises the Chief Executive to publish an amended Governance Statement for the 2010-	No

			2013 triennium; and	
			That the Council releases these resolutions and Appendix 1 of Corp-13-898 from public excluded session.	
			CARRIED	
Council	6 June 2013	Yes (Excluding Appendices)	Maori Appointments to Council Standing Committees	No
			MOVED (Wooding/Ammundsen)	
			That Council makes the following appointments of Māori representatives with speaking and voting rights at the Committee level for the rest of the 2010-2013 Triennium, with immediate effect:	
			Russell Spratt to the Corporate Business Committee	
			Caleb Royal to the Regulatory Management Committee	
			Rupene Waaka to the Environment and Community Development Committee.	
			That Council approves the release of report Corp-13-824 (excluding appendices) and resolution from public excluded session.	
			CARRIED	
Audit and Risk Subcommittee	16 May 2013	Yes	QUARTERLY UPDATE ON: - STATUTORY COMPLIANCE ISSUES REPORTED TO AUDIT; - CURRENT OMBUDSMAN AND/OR PRIVACY COMMISSIONER – INVESTIGATIONS (SP-13-879)	No
			That the Audit and Risk Subcommittee note the statutory compliance issues associated with legislative compliance declarations made to external auditors, Ernst and Young for the second and third quarters of the 2012/13 year.	
			That the Audit and Risk Subcommittee note the current status of Ombudsman and Privacy Commissioner investigations.	
			That the Audit and Risk Subcommittee notes the status of Council's legal compliance for the second and third quarters of the 2012/13 year, in particular:	

			 the two issues of non-compliance which occurred in the second quarter of 2012/13 which relate to the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002; the one issue of non-compliance which occurred in the third quarter which relates to the Resource Management Act 1991; the actions taken to address the issues and reduce/mitigate the potential for a repetition. 	
Council	24 January 2013	Yes	Electricity Supply Contract Renewals MOVED (Cardiff/Wooding) That Council approve the signing of the pricing supplement with Contact Energy for supply of electricity to the Council's 'Time of Use' metered sites, for the term 1 February 2013 to 31 January 2016. That the Council note the outcome of the tender for electricity supply to Council's 'Non Half Hourly' metered sites for the term 1 February 2013 to 31 January 2015. That Council approves the release of report SP-12-754 and the resolutions from public excluded session. CARRIED	Νο

Council	4 October 2012	No	Matters Considered Under Urgency	No
			MOVED (Lester/Church)	
			That the consideration of actions against Jackie Elliott, Chair of Kapiti Concerned Citizens in relation to defamatory remarks against Cr Penny Gaylor be considered as a matter of urgency as details of the issue had only recently come to light. CARRIED	
Council	4 October 2012	Yes	Mackays to Peka Peka Expressway: Project Agreements	No
			MOVED (Mayor/Lester)	
			That the Council notes the Project Agreement: Open Grade Porous Asphalt (Appendix 2, SP-12-696)	
			That the Council gives final approval to:	
			The State Highway 1 Project Agreement (Appendix 1, SP-12-696)	
			The East/West Connectivity Project Agreement (Appendix 3, SP-12-696)	
			CARRIED	
			MOVED (Ammundsen/Ellis)	
			That the report SP-12-696, resolutions and the Agreements with the New Zealand Transport Agency be released from Public Excluded session.	
			CARRIED	
Council	12 July 2012	Yes	Proposed Property Purchase	No
			MOVED (Cardiff/Ellis)	
			That Council:	
			Approves the purchase of the Turf Farm for \$2.1 million plus GST if any, comprising Lot 2 DP 90442 (being 23.917ha of land comprised in Computer Freehold Register WN57D/534) and an additional 1163 sq metres of land currently being transferred to the Turf Farm by agreement dated 26 October 2011, for recreational, community and roading	

			purposes as outlined in the conditional Sale and Purchase Agreement (Appendix 5 to Report CE-12-568) and authorises the Chief Executive to undertake all steps necessary to conclude the purchase. Authorises the Chief Executive to formally withdraw from negotiations with the Ministry of Education over the proposed purchase of 2.3 ha of land at Pohutakawa Park. That once the Sale and Agreement becomes unconditional the Council commence public notification and consultation of its intention to declare the Howarth Land (Lot 1 DP 90442 C/T 57D/533) and the Turf Farm (currently Lot 2 DP 90442, CFR WN57D/534) Recreation Reserve in accordance with the Reserves Act 1977. That this Report CE-12-568 and accompanying resolutions be released from Public Excluded business once the Sale and Purchase Agreement has become unconditional. CARRIED	
Council	12 July 2012	Yes (excluding the Lease Agreement)	Composting Site at Otaihanga Landfill: Lease Agreement MOVED (Wooding/Church) That the Council approves a 10 year lease for the Composting Site at the Otaihanga landfill to Composting New Zealand as set out in the Lease Agreement that is attached to report IS- 12-618 as Appendix 1 and delegates the authority to sign the Lease Agreement to the Chief Executive as proposed in report IS-12-618. That the report (excluding the Lease Agreement) and resolutions be released from public excluded business. CARRIED	No

Council	28 June 2012	Yes	Water Supply – Final Dam Land Purchase	No
			MOVED (Mayor/Wooding)	
			That Council:	
			Kaitawa	
			 a) approve the purchase of 20.43 hectares (being part of Section 11 Block I Akatarawa Survey District Deposited Plan 611 comprised and described in Computer Freehold Register WN111/239, and part of Ngarara West C3 Block comprised and described in Computer Freehold Register WN115/263 and part of Ngarara West C2 Block comprised and described in Computer Freehold Register WN94/24) for water supply purposes from Kaitawa Forests Limited (subject to survey) and instruct the Chief Executive that the agreement for sale and purchase under section 17 of the Public Works Act 1981 must (without limitation) contain the following terms and conditions: i. Purchase Price: \$160,000.00 plus GST (if any) 	
			ii. be conditional upon the Council obtaining all consents or approvals needed to vary or partially surrender the Mahaki Covenant; Council approval and due diligence	
			iii. grant of an Access Licence	
			iv. grant a Forestry Right	
			GW	
			 b) approve the purchase of 1.77 hectares (being part of Lot 12 Deposited Plan 611 and Lot 15 Deposited Plan 669 described in Computer Freehold Register WN20C/507, subject to reservations as set out in Document No 516880 and part 	

of Ngarara West C1 Block described in Computer Freehold Register WN20C/508) for water supply purposes from Wellington Regional Council (subject to survey) and instruct the Chief Executive that the agreement must (without limitation) contain the following terms and conditions: i. Purchase Price: \$13,000.00 plus GST (if any) ii. be conditional upon the
Council obtaining all consents or approvals needed to vary or partially surrender the Mahaki Covenant; Council approval; GW Council approval and due diligence
Reikorangi
 c) approve the purchase of 10 hectares (being Part Lot 4 Deposited Plan 5826 described in Computer Freehold Register WN33D/360) from Reikorangi Forest Limited for water supply purposes (subject to survey) and instruct the Chief Executive that the agreement must (without limitation) contain the following terms and conditions:
i. Purchase Price: \$66,250.00 plus GST (if any)
 ii. be conditional upon the Council obtaining all consents or approvals needed to vary or partially surrender the Mahaki Covenant; Council approval, partial surrender of the Forestry Right registered against the Reikorangi land and due diligence
iii. require that Reikorangi grant a conservation covenant to DoC in respect of the Reikorangi Covenant Land

			DoC		
			d)	approve the Council entering into an agreement with DoC to partially surrender the Mahaki Covenant and grant replacement covenants and instruct the Chief Executive that the agreement must (without limitation) contain the following terms and conditions:	
				 be conditional upon the Council entering into an agreement with Reikorangi to acquire 10 hectares require Reikorangi to grant a conservation covenant to DoC in respect of the Reikorangi Covenant Land and Council approval 	
			e)	authorise the Chief Executive to:	
				 approve the final form and content of the Agreements referred to in these resolutions 	
				 ii. sign, on behalf of the Council, the Agreements and all associated documentation to give effect to the Agreements 	
				iii. approve, on behalf of the Council, any conditions contained in the Agreements	
				iv. take all steps necessary to conclude the Agreements	
			f)	report and accompanying resolutions will be released from Public Excluded business once all land acquired for the Maungakotukutuku Dam has been purchased.	
			CARRI	ED	
Property Purchase	5 April 2012	No	Proper	ty Purchase: Raumati Road	No
Subcommittee			MOVEI	D (Church/Booth)	

			That the Subcommittee approves the purchase of a fee simple land parcel containing 1,012 square metres more or less, being Lot 59 of Block 3 on Deposited Plan 2767, at 15 Raumati Road, Raumati and delegates authority to the Chief Executive to proceed with the purchases at a total maximum purchase price of no more than \$800,000 to be funded from the strategic land purchase fund.	
Regulatory Management Committee	31 January 2012	Yes	Appointment and Delegation of Resource Management Powers to Additional Commissioners MOVED (Cardiff/Lloyd) That the Committee appoint the persons listed in Appendix One to this report (SP-11-450) as Hearing Commissioners, in accordance with Section 34A of the Resource Management Act 1991 and consistent with clause 7.36 of Section B.2 of the Council's Governance Structure, in addition to the existing appointed Hearing Commissioners listed in Appendix Two to this report; That the Committee delegate to the persons listed in Appendix One to this report (SP- 11-450) the authority to perform the functions, duties and powers as listed in Section B.2A and Section B.2B of the Council's Governance Structure (current and as per any future amendments), in addition to the existing appointed Hearing Commissioners listed in Appendix Two to this report; That the Committee note that the Chair of the Regulatory Management Committee, following consultation with the Mayor, will select individual Accredited Hearing Commissioners from the approved Commissioner list for specific hearings as needed, consistent with Sections B.2, B.2A and B.2B of the Council's Governance Structure; That this report (SP-11-450), the resolutions, and Appendices (with any amendments) be released from the public-excluded session. CARRIED	Yes

Council	17 November	No	Proposed Property Purchase Water Supply Project	No
	2011		MOVED (Lester/Booth)	
			That Council approves the purchase of Lot 2 DP 360865 (being 91.6860 hectares of land comprised in Computer Freehold Register 2473430) for water supply purposes (Land) from Ikaham Holdings Limited.	
			That Council authorises the Chief Executive to:	
			Approve the final form and content of the agreement for sale and purchase for the Land;	
			Sign the agreement for sale and purchase for the Land on behalf of the Council;	
			Approve any conditions contained in the agreement for sale and purchase of the Land on behalf of the Council;	
			Take all steps necessary to conclude the purchase of the Land.	
			That Council instructs the Chief Executive that the agreement for sale and purchase of the Land must (without limitation) contain the following terms and conditions:	
			Purchase Price: \$2,075,000.00 plus GST (if any);	
			Deposit: \$150,000.00 plus GST (if any) payable to Ikaham Holdings Limited's solicitors trust account once the agreement is signed and a compensation certificate has been registered;	
			Conditional upon the Council obtaining all consents or approvals needed to vary or partially surrender Conservation Covenant 6733132.5 registered against the Land, that might, in the Council's opinion, be necessary to enable the Council to use the required land for water supply purposes;	
			Settlement Date to be 31 July 2012 or earlier if Conservation Covenant issues have been resolved prior to that time (but with provision for extension if the Conservation Covenant issues are unresolved).	

			That a press release will be prepared signalling conditional agreement has been reached but the resolutions will be released from Public Excluded business only when all land acquired for the Maungakotukutuku Dam has a signed purchase agreement. CARRIED	
Environment & Community Development Committee	1 September 2011	No	Te Newhanaga Kapiti Community Centre – Appointments to Management Team	No
			MOVED (Mayor/Church)	
			That the Committee thank Christine Bongiovanni, Yvonne White and Graham Mowbray for their valuable work for Te Newhanga Kāpiti Community Centre.	
			That the Committee appoint Angela Robertson as Chair of Te Newhanga Kāpiti Community Centre Management Team.	
			That the Committee appoint Christine Bongiovanni and Debbie Mattingley as Council-appointed Te Newhanga Kāpiti Community Centre Management Team Members.	
			That the Committees approves the release of these resolutions into the public arena.	
			CARRIED	
Corporate Business Committee	18 August 2011	No	Charging Regime Advisory Group Membership	No
			MOVED (Ellis/Mayor)	
			That the Committee appoints	
Council	4 August 2011	Yes	Encroachment County Road Ōtaki MOVED (Ellis/Wooding)	No
			That the Chief Executive is authorized to enter into a lease agreement with the Piripi Raua ko Matiaha Arahiora Whanau Trust for the land legally described as Part Pukehou 5K Block comprising 882 square metres more or less contained in Identifier 549169 (Wellington Registry) situated at County Road, Ōtaki in respect of which the Lessor owns an estate in Māori Freehold subject to:	

			the annual lease fee being \$4,200 and commencing from 1 July 2011;	
			the term of the lease being 20 years with two rights of renewal each for a period of 15 years;	
			a five year minimum notice period with regard to termination of the lease if required;	
			an annual lease fee review based on CPI movement with any associated adjustment and a three yearly review to follow the district triennial property revaluation and be increased by the average residential land value increase for the Ōtaki ward.	
			That the Chief Executive is authorized to enter into a settlement agreement with the Piripi Raua ko Matiaha Arahiora Whanau Trust for the historic use of the Land legally described as Part Pukehou 5K Block comprising 882 square metres more or less contained in the Identifier 549169 (Wellington Registry) situated at County Road, Ōtaki in respect of which the Lessor owns an estate in Māori Freehold subject to:	
			the maximum amount payable under the settlement agreement being in the order of \$88,200.	
			That report IS-11-298 and resolutions be released from public excluded business once the lease agreement and settlement agreements have been signed.	
			CARRIED	
Council	9 June 2011	Yes	Recommendation from Corporate Business Committee regarding Ōtaki Reservoir Site Selection	Yes
			MOVED (Ellis/Lloyd)	
			That the Council approve construction of a 4 ML water storage reservoir for the Otaki water supply network.	
			That Council approve Site option 1 (75 Te Manuao Rd) as the preferred site.	
			That council approve invoking the Public Works Act processes to compulsorily acquire Site Option 1,	

			together with all necessary easements and other rights and interests as referred to above, and delegate to the Chief Executive the power to issue and serve all necessary notices and take all necessary statutory steps in relation to the compulsory acquisition. That Council delegate to the Property Purchase Subcommittee the power to proceed with the purchase of Site Option 1 for a new Otaki water supply reservoir with a land area of approx. 1 ha, together with all easements (including rights of way) and other rights and interests necessary for access to, and the construction operation and maintenance of the water supply reservoir. That the report and resolutions be released from public excluded session. CARRIED	
Corporate Business Committee	12 May 2011	Yes	Otaki Reservoir Capacity and Site Selection MOVED (Ellis/Wooding)	Yes
Council	5 May 2011	Yes (Excluding Appendix 4)	Proposed Property Purchase MOVED (Cardiff/Lloyd) That Council: Approves the purchase of Lot 1 DP 90442 (being 35.57 ha of land comprised in Computer Freehold Register WN57D/533) for recreational, community and roading purposes as outlined in the conditional Sale and Purchase Agreement dates 14 April 2011 (Appendix 5 to Report CE-11-214) and authorizes the Chief Executive to approve any conditions in the agreement and undertake all steps necessary to conclude the purchase. Notes that one of the key steps required before the Sale and Purchase Agreement becomes unconditional is Council approval of an agreement currently being finalized with Ngarara Ltd and Kooroora Ltd. That this Report CE-11-214 (excluding Appendix 3) and accompanying	No

			resolutions be released from Public Excluded business once the Sale and Purchase Agreement dated April 14 2011 has become unconditional. CARRIED unanimously	
Council	21 April 2011	No	MOVED (Ammundsen/Ellis) That the Council approves that the bulk earthworks for the construction of the Aquatic Centre are carried out as a separate contract prior to the commencement of the main construction contract.	
			The Council approves calling tenders for the bulk earthworks for the Aquatic Centre, and delegates authority to the Chief Executive to award the tender any time after the 12 May 2011 Corporate Business Committee subject to his satisfaction that the Council's 2010/11 Districtwide capital expenditure programme can be managed within budget (noting that the financial effect of an early start to the earthworks would be that capital expenditure for the Aquatic Centre project would need to be advanced from the 2011/12 financial year into 2010/11).	
			That the Council approves that a pre- tender process is run for items to be nominated in the main construction contract for the Aquatic Centre where a competitive market for supply is known to exist.	
			That the Council approves that negotiated pricing be obtained for items to be nominated in the main construction contract for the Aquatic Centre where only single suppliers exist, or where a preferred supplier is recommended.	
			That the Council agrees the resolutions of this report (CS-11-103) be released to the public but that the Procurement Strategy (Attachment 1 to this report) will remain confidential until after the main construction contract for the Aquatic Centre is awarded. CARRIED	
Corporate Business Committee	31 March 2011	Yes	No	No

Environment & Community Development	24 March 2011	Yes	Community Representatives for Grants Allocation Subcommittee	No
Committee			MOVED (Ammundsen/Cardiff)	
			That the Committee approves Heather Meads to be appointed to the Grants Allocation Subcommittee under the Creative Communities Scheme and a representative to be appointed by the Youth Council.	
			CARRIED	
			MOVED (Ammundsen/Cardiff)	
			That the Committee approves Angie Cairncross to be appointed to the Grants Allocation Subcommittee under the Creative Communities Scheme.	
			CARRIED	
			MOVED (Ellis/Rowan)	
			That the Committee approves Sandra Edwards, Carol Reihana and Mere Ropata-Box to be appointed to the Grants Allocation Subcommittee under the Creative Communities Scheme as recommended by Te Whakaminenga o Kāpiti.	
			CARRIED	
			MOVED (Cardiff /Rowan)	
			That the Committee approves Michelle Laurenson to be appointed to the Grants Allocation Subcommittee under the Community Grants Scheme.	
			CARRIED	
			MOVED (Cardiff/Ellis)	
			That the Committee approves Norm Pashby to be appointed to the Grants Allocation Subcommittee under the Community Grants Scheme.	
			CARRIED	
			MOVED (Ammundsen/Ellis)	
			That the Committee approves Carol Reihana to be appointed to the Grants Allocation Subcommittee under the	

			Community Oranta Ochama	
			Community Grants Scheme as recommended by Te Whakaminenga o Kāpiti.	
			CARRIED	
			MOVED (Ammundsen/Ellis)	
			That the Report CORP-11-144 and the resolutions be released from the public excluded session.	
			CARRIED	
Council	27 January 2011	Yes	Nomination for Appointment to Greater Wellington Regional Transport Committee	No
			MOVED (Ammundsen/Gaylor)	
			That Council approves the nomination of Ann Chapman as the Public Health and Environmental Sustainability objective representative for Greater Wellington Regional Council's Regional Transport Committee.	
			CARRIED	
			MOVED (Ammundsen/Church)	
			That report SP-11-115 and its resolution be released into the public arena.	
			CARRIED	
Regulatory Management Committee	25 November 2010	Yes Appendix 1 and 2	Appointment of and Delegation of Resource Management Powers to Commissioners	
			MOVED (Ellis/Lloyd)	
			That the Committee appoint the persons listed in Appendix One to this report (SP-10-049) as Hearing Commissioners, in accordance with Section 34A of the Resource Management Act 1991 and consistent with clause 7.36 of Section B.2 of the Council's Governance Structure.	
			CARRIED	
			MOVED (Ellis/Lloyd)	
			That the Committee delegate to the persons listed in Appendix One to this report (SP-10-049) the authority to perform the functions, duties and powers as listed in Section B.2A and	

			Section B.2B of the Council's Governance Structure (current and as per any future amendments). CARRIED MOVED (Ellis/Lloyd) That the Committee note that the Chair of the Regulatory Management Committee, following consultation with the Mayor, will select individual Accredited Hearing Commissioners from the approved Commissioner list for specific hearings as needed, consistent with Sections B.2, B.2A and B.2B of the Council's Governance Structure CARRIED MOVED (Ellis/Lloyd) That this report (SP-10-049), the resolutions, Appendix One (with any amendments) and Appendix Two to this report (SP-10-049) be released from the public-excluded session. CARRIED MOVED (Lloyd/Church)	
Council	11 November 2010	Yes	Land Purchase for Kapiti Road/Rimu Road Intersection Upgrade MOVED (Ellis/Wooding) That Council approves the final purchase of land to enable the Kapiti Road/Rimu Road intersection to be upgraded by entering into Heads of Agreements with the Ministry of Education for a sum of \$220,000 plus GST and NZ Police for a sum of \$83,000 plus GST. That Council report AS-10-013 and its resolution be released into the public part of the meeting. CARRIED	No